

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DOWAYNE MOLINA,

Petitioner,

v.

WARDEN MCFADDEN, et al.,

Respondents.

CIVIL ACTION
NO. 19-6110

ORDER

AND NOW, this 21st day of June, 2021, upon consideration of Dwayne Molina's Petition for Writ of Habeas Corpus (ECF 6), Respondents' Answer (ECF 11), Molina's "Motion to Rebut Commonwealth's Answer" (ECF 19), the Report and Recommendation of United States Magistrate Judge Henry S. Perkin (ECF 14), and Petitioner's objections to the R&R (found in his "Motion to Appeal Judge Pappert's Decision," docketed twice at ECF 20 and 21), it is **ORDERED** that:

1. The Clerk's Office shall treat Molina's "Motion to Rebut Commonwealth's Answer" (ECF 19) as his reply to Respondents' Answer (ECF 11), instead of as a separate motion;
2. The Report and Recommendation (ECF 14) is **APPROVED** and **ADOPTED**;
2. The Petition for a Writ of Habeas Corpus (ECF 6) is **DENIED** and **DISMISSED** without prejudice;
3. No certificate of appealability shall issue; and
4. This case shall be **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.